

shall initiate a study of allegations of harassment by Canadian Customs agents for the purpose of deterring cross-border commercial activity along the United States-New Brunswick border. Such study shall include a review of the possible connection between any incidents of harassment with the discriminatory imposition of the New Brunswick Provincial Sales Tax (PST) tax on goods purchased in the United States by New Brunswick residents, and with any other activities taken by the Canadian provincial and Federal Governments to deter cross-border commercial activities.

(2) In conducting the study in subparagraph (1), the Commissioner shall consult with representatives of the State of Maine, local governments, local businesses, and any other knowledgeable persons that the Commissioner deems important to the completion of the study.

(b) REPORT.—Not later than 120 days after enactment of this Act, the Commissioner of the United States Customs Service shall submit to Congress a report of the study and review detailed in subsection (a). The report shall also include recommendations for steps that the United States Government can take to help end harassment by Canadian Customs agents found to have occurred.

SEC. 334. SENSE OF CONGRESS ON THE DISCRIMINATORY APPLICATION OF THE NEW BRUNSWICK PROVINCIAL SALES TAX.

(a) FINDINGS.—The Congress finds that—

(1) in July 1993, Canadian Customs officers began collecting an 11 percent New Brunswick Provincial Sales Tax (PST) tax on goods purchased in the United States by New Brunswick residents, an action that has caused severe economic harm to United States businesses located in proximity to the border with New Brunswick;

(2) this impediment to cross-border trade compounds the damage already done from the Canadian government's imposition of a 7 percent tax on all goods bought by Canadians in the United States;

(3) collection of the New Brunswick Provincial Sales Tax on goods purchased outside of New Brunswick is collected only along the United States-Canadian border—not along New Brunswick's borders with other Canadian provinces—thus being administered by Canadian authorities in a manner uniquely discriminatory to Canadians shopping in the United States;

(4) in February 1994, the United States Trade Representative (USTR) publicly stated an intention to seek redress from the discriminatory application of the PST under the dispute resolution process in chapter 20 of the North American Free Trade Agreement (NAFTA), but the United States Government has still not made such a claim under NAFTA procedures; and

(5) initially, the USTR argued that filing a PST claim was delayed only because the dispute mechanism under NAFTA had not yet been finalized, but more than a year after such mechanism has been put in place, the PST claim has still not been put forward by the USTR.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Provincial Sales Tax levied by the Canadian Province of New Brunswick on Canadian citizens of that province who purchase goods in the United States raises questions about the possible violation of the North American Free Trade Agreement in its discriminatory application to cross-border trade with the United States and damages good relations between the United States and Canada; and

(2) the United States Trade Representative should move forward without further delay in seeking redress under the dispute resolution process in chapter 20 of the North American Free Trade Agreement for the discriminatory application of the New Brunswick Provincial Sales Tax on United States-Canada cross-border trade.

SEC. 335. FEMALE GENITAL MUTILATION.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) the practice of female genital mutilation is carried out by members of certain cultural and religious groups within the United States;

(2) the practice of female genital mutilation often results in the occurrence of physical and psychological health effects that harm the women involved;

(3) such mutilation infringes upon the guarantees of rights secured by Federal and State law, both statutory and constitutional;

(4) the unique circumstances surrounding the practice of female genital mutilation place it beyond the ability of any single State or local jurisdiction to control;

(5) the practice of female genital mutilation can be prohibited without abridging the exercise of any rights guaranteed under the First Amendment to the Constitution or under any other law; and

(6) Congress has the affirmative power under section 8 of article I, the necessary and proper clause, section 5 of the Fourteenth Amendment, as well as under the treaty clause of the Constitution to enact such legislation.

(b) CRIMINAL CONDUCT.—

(1) IN GENERAL.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following new section:

“§ 116. Female genital mutilation

“(a) Except as provided in subsection (b), whoever knowingly circumcises, excises, or infibulates the whole or any part of the labia majora or labia minora or clitoris of another person who has not attained the age of 18 years shall be fined under this title or imprisoned not more than 5 years, or both.

“(b) A surgical operation is not a violation of this section if the operation is—

“(1) necessary to the health of the person on whom it is performed, and is performed by a person licensed in the place of its performance as a medical practitioner; or

“(2) performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife, or person in training to become such a practitioner or midwife.

“(c) In applying subsection (b)(1), no account shall be taken of the effect on the person on whom the operation is to be performed of any belief on the part of that or any other person that the operation is required as a matter of custom or ritual.

“(d) Whoever knowingly denies to any person medical care or services or otherwise discriminates against any person in the provision of medical care or services, because—

“(1) that person has undergone female circumcision, excision, or infibulation; or

“(2) that person has requested that female circumcision, excision, or infibulation be performed on any person; shall be fined under this title or imprisoned not more than one year, or both.”.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 7 of title 18, United States Code, is amended by adding at the end the following new item:

“116. Female genital mutilation.”.

(c) EFFECTIVE DATE.—Subsection (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

ORDERS FOR TUESDAY, MAY 7, 1996

Mr. DOLE. Mr. President, I ask unanimous consent when the Senate completes its business today it stand in adjournment until the hour of 9 a.m. on Tuesday, May 7; further, that immediately following the prayer, the Journal of proceedings be deemed approved

to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and there then be a period for morning business until the hour of 10:30 a.m., with Senators to speak for up to 5 minutes each with the following Senators to speak for the designated times: Senator HUTCHISON, 60 minutes; Senator MURKOWSKI, 15 minutes; Senator BURNS, 5 minutes.

I further ask that immediately following morning business, the Senate resume consideration of H.R. 2937.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I ask unanimous consent the Senate stand in recess between the hours of 12:30 and 2:15 p.m. tomorrow for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOLE. Mr. President, for the information of all of my colleagues, we will resume consideration of the White House Travel Office legislation tomorrow morning. There will be a cloture vote at 2:15 on that measure, and under the rules of cloture, second-degree amendments must be filed with the clerk by 12:30 on Tuesday. It is hoped the Senate could dispose of the White House Travel Office bill by the close of business Tuesday. Rollcall votes could therefore be expected throughout Tuesday's session of the Senate.

As I understand it, there really is no objection to the underlying bill, the travel office bill, the reimbursement to Billy Dale and others, and there should not be any objection. I guess the objection is we filled up the tree, so to speak, and other additional amendments cannot be offered.

Tomorrow I will submit to the Democratic leader, my colleague, Senator DASCHLE, a proposal on gas tax. Tomorrow is tax freedom day. It will be a great day to send a message, a small message but a message to the American taxpayers that we are going to relieve at least some of their burden. It is about a \$5 billion per year burden, a 4.3-cent gas tax which was made permanent in 1993 in the Clinton tax increase bill, which amounted to \$265 billion. So we hope we might get consent to take up the gas tax, attach it to the taxpayers bill of rights, which is pending at the desk, pass it with one amendment, send it to the House and the House will take action.

We are now working on how we pay for the repeal of the tax. Obviously we want to pay for it. We are not going to add to the deficit. I will visit with the Democratic leader about that tomorrow and also offer a proposal on minimum wage, where we might take up the minimum wage, under what conditions, so that we might proceed with the business of the Senate and not have to file cloture on every bill.

I know the Democrats feel strongly about their issues. We feel strongly